1	EDMUND G. BROWN JR., Attorney General of the State of California	
2	LINDA K. SCHNEIDER Supervising Deputy Attorney General	
3	SHERRY L. LEDAKIS, State Bar No. 131767 Deputy Attorney General	
4	110 West "A" Street, Suite 1100 San Diego, CA 92101	
5	P.O. Box 85266	
6	San, Diego, CA 92186-5266 Telephone: (619) 645-2078	
7	Facsimile: (619) 645-2061	
8	Attorneys for Complainant	
9	BEFORE THE	
10	BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA	
11	STATE OF CAL	IFORNIA
12	In the Matter of the Accusation Against:	Case No. 2008-257
13	ERIC PETER CAMERA 529 Golf Glen Drive	ACCUSATION
14	San Marcos, California 92069	ACCUSATION
15	Registered Nurse License No. 557574	
16	Respondent.	
17		
18	Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:	
19	<u>PARTIES</u>	
20	1. Complainant brings this Accusation solely in her official capacity as the	
21	Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer	
22	Affairs.	
23	Registered Nurse License	
24	2. On or about July 27, 1999, the Board issued Registered Nurse License	
25	Number 557574 to Eric Peter Camera ("Respondent"). The registered nurse license will expire	
26	on December 31, 2008, unless renewed.	
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STATUTORY PROVISIONS

- 3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.
- 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.
 - 5. Code section 2761 states:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- (a) Unprofessional conduct, which includes, but is not limited to, the following:
- (1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions.

REGULATORY PROVISIONS

6. California Code of Regulations, title 16, section 1442, states:

As used in Section 2761 of the code, 'gross negligence' includes an extreme departure from the standard of care which, under similar circumstances, would have ordinarily been exercised by a competent registered nurse. Such an extreme departure means the repeated failure to provide nursing care as required or failure to provide care or to exercise ordinary precaution in a single situation which the nurse knew, or should have known, could have jeopardized the client's health or life.

7. California Code of Regulations, title 16, section 1443, states:

As used in Section 2761 of the code, 'incompetence' means the lack of possession of or the failure to exercise that degree of learning, skill, care and experience ordinarily possessed and exercised by a competent registered nurse as described in Section 1443.5.

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COST RECOVERY

8. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

9. Respondent is subject to discipline under Code section 2761, subdivision (a)(1), on the grounds of unprofessional conduct, in that on or about February 15, 2005, while on duty as a registered nurse at Children's Hospital, San Diego, California and caring for patient SAT (a male infant recovering from hernia surgery), Respondent committed acts constituting gross negligence, as defined in California Code of Regulations, section 1442. Respondent tested the glucose level of SW, SAT's mother, using SAT's hospital identification number to activate the glucose meter. Further, once Respondent had the knowledge that SW's glucose rate was dangerously high, he failed to assist SW with obtaining emergency care.

SECOND CAUSE FOR DISCIPLINE

(Incompetence)

10. Respondent is subject to discipline under Code section 2761, subdivision (a)(1), on the grounds of unprofessional conduct, in that on or about February 15, 2005, while on duty as a registered nurse at Children's Hospital, San Diego, California and caring for patient SAT (a male infant recovering from hernia surgery), Respondent committed acts constituting incompetence, as defined in California Code of Regulations, section 1443. Respondent failed to wash his hands and put on gloves before placing his finger in SAT's mouth.

THIRD CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

11. Respondent is subject to discipline under Code section 2761, subdivision (a), on the grounds of unprofessional conduct, as more particularly set forth in paragraphs 9 and 10, above.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 1. Revoking or suspending Registered Nurse License Number 557574, issued to Eric Peter Camera;
- 2. Ordering Eric Peter Camera to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,
 - 3. Taking such other and further action as deemed necessary and proper.

DATED: 3(6(08

RUTH ANN TERRY, M.P.H., R.N.

Executive Officer

Board of Registered Nursing Department of Consumer Affairs

State of California

Complainant

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